S.B.Civil Writ Petition NO.828/2005

Prema & Anr.

vs

Sub Divisional Officer, Baneda & Anr.

DATE OF ORDER : - 14.2.2005

HON'BLE MR. PRAKASH TATIA,J.

Mr. T.R. Singh, for the petitioner.

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Heard learned counsel for the petitioner.

The petitioner is aggrieved against the action, which is being taken by the SDO, Baneda in the matter of recovery of the loan amount, which was advanced by the respondent bank to the petitioner's father Panna and Anr. It appears from the documents placed on record itself that the notices were issued to Prema on 27th Dec., 2002 (Annex.1) and to Gulab Chand also on the same day and Prema and Gulab chand submitted reply to the SDO. The bank also again issued letter to Rama, Panna as well as to the petitioners on 9th Sept., 2003 asking them to deposit Rs.4,30,000/-. Despite all these communications, the petitioners have not deposited any amount against the repayment of the loan. The contention of the petitioners is that the bank is not providing

copy of the statement of account, cannot be believed as the petitioner did not raise this objection for such a long period in three years after raising objection before the SDO in the year 2002 only.

In the facts and circumstances stated above and looking to the conduct of the petitioner, this writ petition cannot be entertained. Hence, the writ petition of the petitioner is dismissed.

(Prakash Tatia), J.

c.p.goyal/-